

# DRAFT

## PROPOSED REGULATORY CATEGORIES & DEFINITIONS

### Definitions proposed for inclusion/modification for the 2008 Consumer Products Regulation Amendments

February 29, 2008

Category Name	Proposed Definition
1 Air Freshener	means any <del>consumer</del> product including, but not limited to, sprays, wicks, <u>wipes, diffusers</u> , powders, and crystals, designed <u>or labeled</u> for the purpose of masking odors, or freshening, cleaning, scenting, or deodorizing the air. "Air Freshener" includes dual purpose air freshener/disinfectant products. "Air Freshener" does not include products that are used on the human body, products that function primarily as cleaning products as indicated on a product label, " <u>Odor Remover/Eliminator</u> ," or "Toilet/Urinal Care Product."
2 Astringent/Toner	means any product not regulated as a drug by the United States Food and Drug Administration (FDA) which is <u>designed or labeled</u> to be applied to the skin for the purpose of cleaning or tightening pores. This category also includes clarifiers and substrate-impregnated products. This category does not include any hand, face, or body cleaner or soap product, "Medicated Astringent/Medicated Toner," "Personal Fragrance Product," cold cream, lotion, or antiperspirant.
3 <del>Carpet and</del> Upholstery Cleaner	means a cleaning product <u>designed or labeled</u> for the purpose of eliminating dirt <del>and or</del> stains on rugs, carpeting, <del>and the interior of motor vehicles and/or on household furniture</del> or objects upholstered or covered with fabrics such as wool, cotton, nylon or other synthetic fabrics. " <u>Carpet and/ Upholstery Cleaner</u> " includes, but is not limited to, <u>products used on household furniture, the interior of motor vehicles, and products that make fFabric pProtectant</u> claims. " <u>Carpet and/ Upholstery Cleaner</u> " does not include " <del>General Purpose Cleaners</del> ," "Spot Removers," vinyl or leather cleaners, <del>eDry eCleaning fFluids</del> ," or products designed exclusively for use at industrial facilities engaged in furniture or carpet manufacturing.
4 Dusting Aid	means a product <u>designed or labeled</u> to assist in removing dust and other soils from floors and other surfaces without leaving a wax or silicone based coating. "Dusting Aid" does not include "Pressurized Gas Duster" or " <u>Furniture Maintenance Product</u> ."
5 Fabric Protectant	means a product <u>designed or labeled</u> to be applied to fabric substrates to protect the surface from soiling from dirt or other impurities or to reduce absorption of liquid into the fabric's fibers. "Fabric Protectant" does not include "Waterproofers," or products labeled for use solely on leather. "Fabric Protectant" does not include pigmented products that are designed or labeled to be used primarily for coloring, products used for construction, reconstruction, modification, structural maintenance or repair of fabric substrates, or products that renew or restore fabric and qualifying as either "Clear Coating" or "Vinyl/Fabric/Leather/Polycarbonate Coating" under section 94521(a).

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6 <u>Fabric Softener – Single Use Dryer Product</u>	means a laundry care product designed or labeled for single use in the clothes dryer to impart softness to or control static cling of a load of washable fabrics; and may impart a fragrance or scent. For the purpose of this definition only, “single use” means a product that is intended for one time use during a single drying cycle and is disposed of after completion of drying cycle. A “load” is the amount of washable fabrics in a single drying cycle. “Fabric Softener-Single Use Dryer Product” includes treated nonwoven sheets which are typically packaged in boxes with a multiple number of sheets. “Fabric Softener-Single Use Dryer Product” does not include products applied to washable fabrics prior to placing the washable fabrics in the clothes dryer.
7 <u>Floor Maintenance Product</u>	means any product designed or labeled to restore, maintain, or enhance a previously applied floor finish. “Floor Maintenance Product” includes, but is not limited to, products that are labeled as Spray Buff products or Floor Maintainers or Restorers. “Floor Maintenance Product” does not include floor polish products, products designed solely for the purpose of cleaning, or products designed specifically for use on marble floors.
8      Floor Polish or Wax	means a product designed or labeled to polish, wax, condition, protect, temporarily seal, or otherwise enhance floor surfaces by leaving a protective finish that is designed or labeled to be periodically replenished. “Floor Polish or Wax” does not include <del>“spray buff products”</del> “Floor Maintenance Products,” “Floor Wax Strippers”, <del>products designed or labeled for unfinished wood floors</del> , or coatings subject to architectural coatings regulations.
9      Floor Polish or Wax C. Wood Floor Wax	means <u>any wax-based products designed or labeled</u> for use solely on wood floors. <u>“Wood Floor Wax” does not include products that make the claim to “clean and wax” or “clean and polish.”</u>
10     Glass Cleaner	means a cleaning product <u>designed or labeled</u> primarily for cleaning surfaces made of glass. <u>“Glass eCleaner”</u> does not include products <u>designed or labeled</u> solely for the purpose of cleaning optical materials used in eyeglasses, photographic equipment, scientific equipment and photocopying machines.
11 <u>Global Warming Potential Factor</u>	means the global warming potential of a greenhouse gas as defined by the Intergovernmental Panel on Climate Change (IPCC), expressed as the ratio of the time-integrated radiative forcing impact from an instantaneous release of 1 kilogram (kg) of a trace substance relative to that of 1 kg of carbon dioxide (CO2).
12 <u>Motor Vehicle Wash</u>	means a product designed or labeled to wash, wash and wax, wash and shine, or wash and/or clean the exterior surface of motor vehicles. “Motor Vehicle Wash” includes, but is not limited to, products for use in commercial, fleet, hand, and “drive through” car washes; commercial truck washing or large vehicle washing stations; new vehicle dealers and repair shops as well as products intended for household consumer use. “Motor Vehicle Wash” does not include “Bug and Tar Remover,” “Glass Cleaner,” “Tire or Wheel Cleaner,” and products labeled for use exclusively on locomotives or aircraft.
13     Multi-purpose Dry Lubricant	[See #17 below for “Lubricant” definition.] means any lubricant which is: (A) designed <del>and</del> <u>or</u> labeled to provide lubricity <u>solely</u> by depositing a thin film of graphite, molybdenum disulfide (“moly”), or polytetrafluoroethylene or closely related fluoropolymer (“teflon”) on surfaces, and (B) <u>designed or labeled</u> for general purpose lubrication, or for use in a wide variety of applications.

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14 Multi-purpose Lubricant	<p>“Lubricant” means a product <del>designed to</del> <u>that</u> reduces friction, heat, noise, or wear between moving parts, or <del>to</del> loosens rusted or immovable parts or mechanisms. “Lubricant” does not include automotive power steering fluids; products for use inside power generating motors, engines, and turbines, and their associated power-transfer gearboxes; two cycle oils or other products designed to be added to fuels; products for use on the human body or animals or products that are (1) sold exclusively to establishments which manufacture or construct goods or commodities, and (2) labeled “not for retail sale.”</p> <p>“Multi-purpose Lubricant” means any lubricant <u>designed or labeled</u> for general purpose lubrication, or <u>a lubricant labeled</u> for use in a wide variety of applications. “Multi-purpose Lubricant” does not include “Multi-purpose Dry Lubricants,” “Penetrants,” or “Silicone-based Multi-Purpose Lubricants.”</p>
15 <u>Odor Remover/Eliminator</u>	<p>means a product that is designed or labeled to be applied exclusively to hard surfaces to inhibit the ability of soils to create malodors, or functions to entrap, encapsulate, neutralize, convert or eliminate malodor molecules. “Odor Remover/Eliminator” does not include <u>products designed or labeled for use in cleaning soils from hard surfaces, laundering, softening, de-wrinkling or cleaning fabrics, or dishwashing, or products that are defined as “Air Freshener,” “Bathroom and Tile Cleaner,” “Carpet/Upholstery Cleaner,” “Fabric Refresher,” “General Purpose Cleaner,” “Toilet/Urinal Care Product,” “Disinfectant,” or “Sanitizer.”</u></p>
16 Penetrant	<p>means a lubricant <del>designed and</del> <u>or labeled primarily</u> <del>exclusively</del> to loosen metal parts that have bonded together due to rusting, oxidation, or other causes. “Penetrant” does not include “Multi-purpose Lubricants” that claim to have penetrating qualities, but are not labeled <del>primarily</del> <u>exclusively</u> to loosen bonded parts.</p>
17 Personal Fragrance Product	<p>means any product which is applied to the human body or clothing for the primary purpose of adding a scent or masking a malodor, including <u>but not limited to</u> cologne, perfume, aftershave, <del>and</del> toilet water, lotion, powder, body mist, and body spray. “Personal Fragrance Product” does not include: (A) Deodorant, as defined in section 94501(d); (B) medicated products designed primarily to alleviate fungal or bacterial growth on feet or other areas of the body; (C) mouthwashes, breath fresheners and deodorizers; (D) lotions, moisturizers, powders or other skin care products <u>designed or labeled to be</u> used primarily to alleviate skin conditions such as dryness and irritations; (E) products designed exclusively for use on human genitalia; (F) soaps, shampoos, and products primarily used to clean the human body; <del>and</del> (G) fragrance products designed to be used exclusively on non-human animals; <u>and</u> (H) “Postshave Product.”</p>
18 <u>Postshave Product</u>	<p><u>means a product designed or labeled to be applied by hand to the face after shaving to soothe or moisturize the skin, or to provide skincare benefits including alleviating dryness and irritations.</u></p>
19 Pressurized Gas Duster	<p>means a pressurized product labeled to remove dust from a surface solely by means of mass air or gas flow, including surfaces such as photographs, photographic film negatives, computer keyboards, and other types of surfaces that cannot be cleaned with solvents. “Pressurized Gas Duster” does not include “Dusting Aid,” “General Purpose Cleaner,” “Electrical Cleaner,” “Electronic Cleaner,” “Energized Electrical Cleaner,” “Energized Electronic Cleaner,” or “Anti-Static Product”.</p>

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20 Sealant <del>and</del> <u>or</u> Caulking Compound	<p>means any product with adhesive properties that is designed to fill, seal, waterproof, or weatherproof gaps or joints between two surfaces, <u>including threaded pipe sealants and gasket makers</u>. “Sealant <del>and</del> <u>or</u> Caulking Compound” does not include roof cements and roof sealants; insulating foams; removable caulking compounds; clear/paintable/water resistant caulking compounds; floor seam sealers; products designed exclusively for automotive uses; or sealers that are applied as continuous coatings. “Sealant <del>and</del> <u>or</u> Caulking Compound” also does not include units of product, less packaging, which weigh more than one pound and consist of more than 16 fluid ounces. For the purposes of this definition only:</p> <p>“<del>R</del>Removable caulking compounds” means a compound which temporarily seals windows or doors for three to six month time intervals, <del>and</del></p> <p>“<del>C</del>Clear/paintable/water resistant caulking compounds” means a compound which contains no appreciable level of opaque fillers or pigments; transmits most or all visible light through the caulk when cured; is paintable; and is immediately resistant to precipitation upon application.</p> <p><u>“Sealant or Caulking Compound” is divided into two subcategories:</u></p> <p>(A) <u>“Chemically Curing Sealant or Caulking Compound” means any “Sealant or Caulking Compound” which upon application achieves its final composition and physical form through a chemically curing process, where product ingredients participate in a chemical reaction in the presence of a catalyst that causes a change in chemical structure, and leads to the release of chemical byproducts. “Chemically Curing Sealant or Caulking Compound” includes, but is not limited to products that utilize silicone, polyurethane, silyl-terminated polyether or silyl-terminated polyurethane reactive chemistries. “Chemically Curing Sealant or Caulking Compound” does not include “siliconized” or other products, which are not primarily dependent on a chemically curing process to achieve the cured state.</u></p> <p>(B) <u>“Non-Chemically Curing Sealant or Caulking Compound” means any “Sealant or Caulking Compound” not defined under “Chemically Curing Sealant or Caulking Compound.”</u></p>
21 Spot Remover	<p>means any product labeled to clean localized areas, or remove localized spots, <del>or</del> stains, or odor causing contaminants due to mishaps, on cloth or fabric such as drapes, carpets, upholstery, <del>and</del> <u>or</u> clothing, that does not require subsequent laundering to achieve stain removal. “Spot Remover” does not include “Dry Cleaning Fluid,” “Laundry Prewash,” <del>or “Multi-purpose Solvent.”</del> <u>or aerosol products labeled solely for gum removal.</u></p>
22 <u>Tire or Wheel Cleaner</u>	<p><u>means a product designed or labeled exclusively to clean either tires, wheels, or both. “Tire or Wheel Cleaner” includes, but is not limited to, products for use in commercial, fleet, hand, and “drive-through” car washes; commercial truck washing or large vehicle washing stations; new vehicle dealers and repair shops, as well as household consumer products. “Tire or Wheel Cleaner” does not include products labeled for use exclusively on locomotives or aircraft.</u></p>

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23 Volatile Organic Compound (VOC)	<p>means any compound containing at least one atom of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, and excluding the following:</p> <p>(A) methane,  ...  1,1-difluoroethane (HFC-152a),  <del>ethoxy-nonafluorobutane (HFE 7200)</del></p>
24 <u>Windshield Water Repellent</u>	<p><u>means a product designed or labeled exclusively to repel water from motor vehicle exterior automotive glass surfaces. "Windshield Water Repellent" does not include "Automotive Windshield Washer Fluid."</u></p>